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John E. Schier

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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/737,679
Filing Date: December 14, 2000
Appellant(s): SCHIER, JOHN E.

Bradley P. Williams, Reg. No. 40,227
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 16, 2008 appealing from the Office action mailed December 13, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,892,901	Landwehr et al.	04-06-1999
6,249,681 B1	Virtanen	06-19-2001
5,084,877	Netravali et al.	01-28-1992
6,185,616 B1	Namma et al.	02-06-2001
5,495,480	Yoshida	02-27-1996

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 112

Claims 1-4, 6-14, 19-31, and 34-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Appellant's "isolating the delay timer" in claims 1, 19, and 24 remains unsupported by the specification.

Appellant's "the communication module including a delay timer" in claims 1, 19, and 24 remains unsupported by the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-9, 11, 19, 21, 24, 25, 28, 30, 31, and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Landwehr et al (US Patent No 5,892,901).

Regarding **claim 1**, Landwehr teaches a method for providing a secure operating environment for a network accessible system comprising accessing a delay timer operably coupled to a communication module, the delay timer including a delay time interval (col.5 lines 29-34); comparing the delay time interval to an activity associated with the system communication with the network (col.3 lines 45-65) the activity being any communication between the system and the network (col.1 lines 50-51); and isolating the communication module from the network based on the comparison (col.3 lines 4-6; col.3 lines 26-28; col.4 lines 31-40) without terminating all power supplied to the communication module (col.2 lines 13-16).

Regarding **claim 2**, Landwehr teaches disabling the communication module if the communication module remains idle for a time period greater than the delay time interval (col.3 lines 59-65).

Regarding **claim 3**, Landwehr teaches the disabling includes reducing a power state associated with the communication module (col.2 line 65 thru col.3 line 6).

Regarding **claim 4**, Landwehr teaches detecting a user initiated request to access the network; altering the power state of the communication module; initializing the communication module to communicate with the network; and initializing the delay timer (col.3 lines 25-65).

Regarding **claim 6**, Landwehr teaches the isolating further comprises disconnecting a communication port associated with the communication module (col.4 lines 30-34).

Regarding **claim 7**, Landwehr teaches initializing the delay time in response to the system initiating communication with the network (col.3 lines 32-38).

Regarding **claim 8**, Landwehr teaches adjusting the delay time interval using a software interface associated with a delay timer (col.4 lines 49-57).

Regarding **claim 9**, Landwehr teaches adjusting the delay time interval using a hardware interface associated with the delay timer (col.4 lines 49-57).

Regarding **claim 11**, Landwehr teaches accessing a network location; Disabling the communication module upon the communication module being idle for a time period greater than the delay time interval; and enabling the communication module upon determining a request to access the network location (col.3 lines 25-65).

Claims 19 and 21 are substantially equivalent to claims 1 and 11 respectively, therefore claims 19 and 21 are rejected because of similar rationale.

Regarding **claim 24**, Landwehr teaches a communication module operable to communicate information via the network (col.2 lines 65 thru col.3 line 6); a delay timer operably coupled to the communication module (col.5 lines 29-34); and the delay timer including a delay time interval and operable to disable communication between the network and the communication module (col.5 lines 29-34) without terminating all power to the communication module in response to a comparison of the delay time interval to any communication through the communication module (col.2 lines 13-16).

Regarding **claim 25**, Landwehr teaches a data bus coupled to the communication module and a processor; and the data bus operable to communicate information based on the delay time interval (col.2 line 61 thru col.3 line 7; col.3 lines 59-65).

Regarding **claim 28**, Landwehr teaches the delay time interval programmed via an interface associated with the delay timer (col.5 lines 29-34).

Regarding **claim 30**, Landwehr teaches a power state operably associated with the delay timer and the power state operable to provide power to the communication module (col.3 lines 22-25).

Regarding **claim 31**, Landwehr teaches a communication port communicatively coupling the communication module and the network; and the communication port operable based on the delay time interval (col.4 lines 30-34).

Regarding **claims 34-36**, Landwehr teaches wherein the network implements a TCP/IP transport language protocol (col.2 line 61 thru col.3 line 7).

Claims 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Netravali et al (US Patent No 5,084,877).

Regarding **claim 37**, Netravali teaches a method for providing a secure operating environment for a network accessible system, comprising: receiving, at a communication module, a plurality of TCP/IP packets from a remote network location (col.1 lines 5-7; col.3 lines 19-30 "the transmitter sends data packets to the receiver"); detecting a period of inactivity between the remote network location and the communication module (col.3 lines 44-48 "if it finds that a particular block had been received with an error (or not received at all)"); initializing a delay timer to monitor the period of inactivity, the delay timer including a delay time interval (col.3 lines 48-53 "At that point the wait indicator is set to prohibit further transmissions until the retransmitter block has sufficient time to be received and sufficient time to acknowledge the reception. In other words, the wait indicator is set to at least cover the round trip delay (RTD)."); determining that the period of inactivity exceeds the delay time interval (col.3 lines 48-53 "the wait indicator is set to at least cover the round trip delay (RTD)."); storing a network reference operable to identify the remote network location (col.3 lines 54-56 "the information about packets that have been received correctly and incorrectly is kept in the transmitter within a table (LUP)"); and isolating the communication module

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form the remote network location without terminating all power supplied to the communication module (col.3 lines 48-50 "at that point the wait indicator is set to prevent further transmissions"; col.8 lines 19-24).

Regarding **claim 38**, Netravali teaches the method of claim 37, further comprising re-establishing the connection between the communication module and the remote network location (col.6 lines 41-44 "when the logical connection becomes active again"); and accessing the remote network location from the communication module using the stored network reference (col.3 lines 56-61).

Regarding **claim 39**, Netravali teaches the method of claim 37, wherein receiving a plurality of TCP/IP packets from a remote network location at a communication module comprises receiving a plurality of TCP/IP packets from a software application hosted at the remote network location (col.1 lines 5-7; col.3 lines 18-25; col.3 line 62 thru col.4 line 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject

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matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landwehr (US Patent No 5,892,901), and further in view of Namma et al (US Patent No 6,185,616).

Regarding **claim 10**, Landwehr teaches the method of claim 1, but does not teach locating a reference within a memory associated with the delay timer, the reference operably associated with enabling the communication module; and removing the reference in response to the communication module being idle for a time period greater than the delay time interval.

Namma does teach locating a reference within a memory associated with the delay timer, the reference operably associated with enabling the communication module (col.6 lines 17-48); and removing the reference in response to the communication module being idle for a time period of greater than the delay time interval (col.6 lines 40-48). It would have been obvious to one of ordinary skill in the art to combine Landwehr's secure identification system with Namma's teaching of removing data associated with communication connection in order to provide an improved method of disconnecting communication between client and servers (Namma col.1 lines 52-54; col.6 lines 1-9).

Claim 20 is substantially equivalent to claim 10 and is rejected because of similar rationale.

Regarding **claim 27**, Namma teaches a communication module reference operable to be stored within memory (col.6 lines 18-22).

Claims 12-14, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landwehr (US Patent No 5,892,901), and further in view of Namma et al (US Patent No 6,185,616) and Virtanen (US Patent No 6,249,681).

Regarding **claim 12**, Landwehr teaches disabling the communication module upon the communication module remaining idle for a time period greater than the delay time interval (col.3 lines 59-65), but does not teach storing a network reference operable to identify the network location; removing a communication module reference from a memory stack associated with the communication module, the communication module reference associated with enabling the communication module; and copying the communication module reference to the memory stick upon detecting a request by the system to access the network location.

Namma teaches storing a network reference operable to identify the network location removing a communication module reference from a memory stack associated with the communication module, the communication module reference associated with enabling the communication module (col.6 lines 17-48). It would have been obvious to one of ordinary skill in the art to combine Lanwehr's secure identification system with Namma's teaching of removing data associated with communication connection in order

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to provide the improved method of disconnecting communication between clients and servers (Namma col.1 lines 52-54; col.6 lines 1-9).

Virtanen teaches storing a network reference operable to identify the network location (col.4 lines 21-43), disabling the communication module upon the communication module remaining idle for a time period greater than the delay time interval (col.2 lines 42-51), and copying the communication module reference to the memory stack upon detecting a request by the system to access the network location (col.5 lines 1-7). It would have been obvious to one of ordinary skill in the art to combine Landwehr's secure identification system with Virtanen's teaching of re-establishing communication in order to provide an improved and more efficient method that re-establishes communication between the parties after communication has been disconnected, interrupted, or disabled (col.3 lines 23-33; col.3 lines 40-58).

Regarding **claim 13**, Landwehr, Namma and Virtanen teach the method of claim 12, in addition Virtanen teaches enabling the communication module and accessing the network location using the network reference (col.5 lines 1-7).

Regarding **claim 14**, Landwehr, Namma, and Virtanen teach the method of claim 12, in addition Landwehr teaches initializing the delay timer upon detecting a user initiated request to access the network (col.3 lines 32-37).

Claims 22 and 23 are substantially equivalent to claims 12 and 13 respectively and are rejected because of similar rationale.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landwehr (US Patent No 5,892,901), and further in view of Virtanen (US Patent No 6,249,681).

Regarding **claim 26**, Landwehr teaches the device of claim 24, but does not teach a memory operable to store the delay time interval. Virtanen teaches a memory operable to store the delay timer interval (col.6 lines 38-40; col.8 lines 54-62). It would have been obvious to one of ordinary skill in the art to combine Landwehr's secure identification system with Virtanen's teaching of re-establishing communication in order to provide an improved and more efficient method that re-establishes communication between parties after communication has been disconnected, interrupted, or disabled (col.3 lines 23-33; col.3 lines 40-58).

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landwehr (US Patent No 5,892,901), and further in view of Yoshida (US Patent No 5,495,480).

Regarding **claim 29**, Landwehr teaches the device of claim 28 but does not teach the delay time interval programmed using a delay time interval reference and a communication module reference. Yoshida teaches the delay time interval programmed using a delay time interval reference and a communication module reference (col.1 lines 34-35; col.2 lines 21-41; col.3 lines 20-27; col.5 lines 10-43). It would have been

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obvious to one of ordinary skill in the art to combine Landwehr's secure identification system with Yoshida's teachings of a disconnecting timer circuit in order to provide a time dependent disconnecting circuit that is able to accommodate higher level applications (Yoshida col.1 lines 35-60).

(10) Response to Argument

I. Claims 1-4, 6-14, 19-31, and 34-36 under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

In response to Appellant's arguments regarding the Examiner's 35 USC 112 first paragraph rejections of claims 1-4, 6-14, 19-31, and 34-36 as indefinite, the Examiner respectfully maintains her rejections for the following reasons.

The Examiner's rejections are specifically directed towards Appellant's use of the phrases "the communication module including a delay timer" and "isolating the delay timer from the network," phrase which fail to find support in Appellant's specification. Appellant begins his arguments by drawing attention to Figure 1 and pages 7-11 of his specification which he argues "clearly describes delay timer 103 as part of communication module 101 and that the delay timer may be isolated from the network in conjunction with isolating communication module 101 from the network."

The Examiner would first like to address Appellant's failure to point to any particular section of the specification in support of his use of the phrase "isolating the

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delay timer from the network.” The Examiner has gone over the specification numerous times, and has been unable to find a single instance wherein Appellant specifically calls for the isolation of his delay timer from the network as claimed in his claims, rather Appellant’s isolations appear to be directed in their totality towards the communication module. Appellant’s figure 2 even supports the Examiner’s arguments with its step 205 of “isolate communication module,” conspicuously void of any mention of a delay timer. Furthermore, the Examiner would like to draw attention to Appellant’s arguments and their reliance upon the delay timer’s location as part of the communication module in order to isolate it while Appellant’s claims specifically call for the isolation of the delay timer from the network in and of itself. In fact, Appellant fails to present any additional arguments in support of his use of the phrase “isolating the delay timer” outside of his initial argument that the delay timer 103 “may be isolated from the network in conjunction with isolating communication module 101 from the network.” The Examiner is confused by such an argument, seeing as the Appellant has amended his claims to specifically include the isolation of the communication module and the delay timer. It seems unnecessary and even redundant for such an amendment to have been made were the delay timer actually part of the communication module which was already to be isolated. Insofar as Appellant has repeatedly failed to point to any particular section of the specification in support of his limitation, the Examiner maintains that such a limitation fails to comply with the written description requirement under 35 USC 112.

In response to Appellant’s comments regarding his use of the phrase “the communication module including a delay timer” the Examiner would once again like to

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draw attention to Appellant's inability to point to a particular section within his specification in support of his use. Appellant instead draws attention generally to pages 7-11 and figure 1 which he argues "clearly" supports his limitation. Upon a careful examination of both figure 1 and pages 7-11 it is clear that neither support such a limitation. Looking to Appellant's figure 1 it is clear to the Examiner that Appellant intended for the communication module 101 and the delay timer module 103 to be distinct and separate. Her opinion is based upon Appellant's use of two separate and distinct boxes and two separate and distinct part numbers. Were it Appellant's intention to include the delay timer module 103 within his communication module 101 he could and should have drawn it as such with the box of 103 included within the box of 101. By drawing the boxes as separate and distinct, the Appellant signals to those individuals reviewing the figures that the two parts are in fact separate and distinct. Looking now to Appellants detailed description of the invention, the Examiner would like to first point out that Appellant's arguments in their totality are based upon the use of one particular sentence within his detailed description, a sentence appearing on line 29 of page 7 thru line 2 of page 8 and a sentence which Appellant has conspicuously failed to include in its entirety. The sentence in question reads:

"Communication module 101 includes a communication port 104 for communication with a network 106 and a delay timer 103 that includes a delay time interval for determining a period of inactivity between network 106 and system 100."

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Meanwhile, Appellant has included the above cited sentence throughout his arguments not in its entirety but instead as “[c]ommunication module 101 includes ... a delay timer 103 that includes a delay timer interval.” Such a characterization is inaccurate as it makes it appear as though Appellant clearly provided for the inclusion of the delay timer within the communication module when in fact he has not. Were it Appellant's original intention to include such a limitation there would have been some suggestion of it within his drawings, specification, or originally filed claims. Unfortunately, there is not, which is why Appellant is unable to point to a single portion of the specification which clearly supports his limitations and is forced to rely upon strategically selected portions of a single sentence appearing within his disclosure. Throughout prosecution, the Examiner has made her interpretation of the above cited sentence clear, basing her interpretation upon Appellant's specification in its entirety. The sentence relied upon by Appellant has been treated by the Examiner as calling for the inclusion of the communication port 104 within the communication module 101 and that it was that communication port 104 that allowed communication from the communication module 101 to both the network 106 and the delay timer 103. The Examiner disagrees with Appellant that one reasonably skilled in the art would treat his invention as providing for the inclusion of the delay timer module within his communication module when provided Appellant's disclosure in its entirety. Appellant even goes so far as to argue on page 14 that "delay timer 103 is not described as coupled to a communication module," ignoring completely lines 6-7 of page 7 wherein Appellant clearly discloses " a delay timer coupled to the communication module.”

It is based upon the disclosure in its entirety including applicable prosecution history that the Examiner maintains that Appellant's use of the phrases "the communication module including a delay timer" and "isolating the delay timer from the network" constitute a failure to comply with the written description requirements of 35 USC 112.

II. Claims 37-39 under 35 USC 102(b) as being anticipated by Netravali

In response to Appellant's arguments regarding the Examiner's 35 USC 102(b) rejections of claims 37-39, the Examiner respectfully maintains her rejections for the following reasons.

Appellant argues that claim 37 is allowable at least because Netravali does not teach or suggest "isolating the communication module from the remote network location without terminating all power supplied to the communication module." Appellant's bases his argument on the fact that "the receiver of Netravali continues to receive retransmitted blocks of data packets while the transmitter awaits acknowledgement." Appellant's reasoning is flawed for two reasons. First, Appellant's claims call for the "isolation" of the communication module, making no mention of the reception of blocks of data or otherwise. Second, in rejecting Appellant's claim 37, the Examiner has relied upon Appellant's disclosure and its definition of isolation which

"may include disabling a communication module by providing a reduced power state for the communication module, disconnecting a communication port to the

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network, disconnecting a data bus associated with communicating information from the communication module to the computer system or other embodiments for isolating the communication module”

Nowhere in that listing does Appellant specifically call for the system to cease the reception of retransmitted blocks of data packets or any other packets for that matter. The Examiner relied upon Appellant's listing of alternative means of “isolation” when she chose the Netravali reference. Within the reference there exists four different means of isolation worth mentioning, the first of appears on lines 48-53 of column 3 and concerns the use of a wait indicator (timer) in order to prevent (or isolate from) the further retransmission until the round trip delay is surpassed. Netravali goes on in column 6, lines 36-44 to provide for yet another isolation, this time calling for “[f]urther reductions [to] follow if the transmitted remains inactive and, in this manner a number of consecutive frequency reductions can be made.” Such a reduction equates to Appellant's “providing a reduced power state.” Within lines 47-50 of column 7, Netravali provides yet another example of an isolation with his description of the use of a “DISC” state when a packet has not been received within a particular period of time, a state wherein operations are disconnected. Last but not least, Netravali discloses in lines 20-24 of column 8 the use of a timer on the interval between states transmissions by the transmitter in order that the system may enter the DISC state and cease operations when a packet has not been sent within a predetermined time interval. There is no question that each of these sections within the reference discloses a means of “isolation.” Unfortunately for Appellant, there is also no question that his disclosure fails

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to limit his particular "isolation" to discontinuing the reception of retransmitted blocks of data, and therefore outside the scope of the Netravali reference. So long as Appellant intends for his "isolation" to remain broad enough to encompass all different kinds of isolation for his purposes, he has no choice but to accept the fact that the isolations of others may be read upon his claims so long as they are supported by his disclosure.

III. Claims 1-4, 6-9, 11, 19, 21, 24, 25, 28, 30, 31 under 35 USC 102(b) as being anticipated by Landwehr

In response to Appellant's arguments regarding to the Examiner's 35 USC 102(b) rejections of claims 1-4, 6-9, 11, 19, 21, 24, 25, 28, 30, and 31, the Examiner respectfully maintains her rejections for the following reasons.

First, the Examiner would like to point out those sections above, namely section I concerning the 35 USC 112 rejection of claims 1-4, 6-14, 19-31, and 34-36 as failing to comply with the written description requirement for their use of the phrases "the communication module including a delay timer" and "isolating the delay timer from the network." As explained above, Appellant's disclosure in its entirety fails to disclose the isolation of the delay timer. As such, the Examiner has been forced to interpret Appellant's claims in such a way as they may be supported by Appellant's disclosure. In this particular instance, the Examiner has interpreted Appellant's "isolating the communication module and the delay timer from the network" to be taught by Landwehr's "selectably permit or block communication along line 30" (col.3 lines 4-6),

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“interlock 32 is set to isolate circuit 28 from communication line 30” (col.3 lines 26-28), and “one could also wholly isolate computer 28’s parallel and serial ports, and any other data ports which the computers may have” (col.4 lines 31-40), all without terminating all power supplied to the communication module (col.2 lines 13-16). The Examiner maintains her opinion that Landwehr’s isolation anticipates Appellant’s isolation insofar as Appellant’s isolation “may include disabling a communication module by providing a reduced power state for the communication module, disconnecting a communication port to the network, disconnecting a data bus associated with communicating information from the communication module to the computer system or other embodiments for isolating the communication module.” There is no question that Landwehr provides for the isolation disclosed by Appellant.

IV. Claims 34-36 under 35 USC 102(b) as being anticipated by Landwehr

In response to Appellant's arguments regarding the Examiner's 35 USC 102(b) rejections of claims 34-36, the Examiner respectfully maintains her rejections for the following reasons.

Appellant argues that Landwehr fails to anticipate claims 34-36 because it does not teach or suggest “wherein the network implements a TCP/IP transport language protocol.” Appellant unnecessarily limits the Landwehr reference to individual computers and their mice. Such a characterization is improper as per the Landwehr abstract which particularly lays out “a system in which two circuits which are spatially

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mobile with respect to one another communicate with one another.” Landwehr goes on to provide for the use of either wireless or wired communication between these circuits, including physical wires disposed between the circuits in column 2 lines 55-60.

Landwehr even goes so far as to disclose the use of data lines, including but not limited to wires, data links and multiplexed lines. There is no doubt that those skilled in the art at the time of the invention would treat Landwehr's communication system including computer workstations, decentralized collections of workstations and other devices (col.1 lines 65-67) and communicating through data lines including but not limited to wires, data links and multiplexed lines, as communicating using one of the many standard TCP/IP protocols utilized in network communications then and today.

V. Claims 12-14, 22, and 23 under 35 USC 103(a) as being unpatentable over Landwehr and further in view of Namma and Virtanen

In response to Appellant's arguments regarding the Examiner's 35 USC 103(a) rejections of claims 12-14, 22, and 23, the Examiner respectfully maintains her rejections for the following reasons.

Appellant insists that the cited references fail teach or suggest “removing a communication module reference from a memory stack associated with the communication module, the communication module reference associated with enabling the communication module.” The Examiner would like to draw attention to column 2 of the Namma reference, namely lines 11-15, 22-27, 43-46 and 51-55 wherein Namma

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lays out the use of connection condition control tables for storing the name and corresponding IP addresses of server apparatuses with which there is a connection enabled. These connection condition control tables keep track of all communication channels, until the point at which a disconnection request arrives and the IP address corresponding to that communication channel are released. It is the Examiner's position that these connection condition control tables and the information contained therein, namely the corresponding relations between servers and the connections thereto, comprise communication module references associated with enabling communications with the communication modules. Furthermore, Namma goes on in column 3 line 65 thru column 4 line 5 to describe the use of a timer portion for measuring continuously non-communication conditions of client terminals coupled thereto and a disconnection control portions for disconnecting the server apparatus from the network and associated release of connection information after a predetermined interval. In column 5 lines 13-16 Namma teaches the use of the condition control table to determine whether or not a connection exists by including in memory a value in the column corresponding to an IP address, a value which will be removed so that there exists no value in the column once the connection is lost or terminated. The Examiner maintains her position that this table constitutes Appellant's memory stack of communication module references associated with enabling the communication module insofar as it teaches the use of values within a control table (memory stack) to signify a connection and associated enabled communication module, a value which will be removed once the connection is lost and the communication module is no longer

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enabled so that the table may be used to monitor all active connections and enabled communication modules. Furthermore, Namma even goes so far as to provide for a disconnection control table within column 6 wherein he discloses the use of the table to hold information associated with communication modules and connections once the connection has been lost so that the connection and module may be monitored for a period of time to ensure that no activity remains, at which point in time the information may be erased from the table and associated memory location signifying that the communication module is in fact inactive and that no communication exists. It is for these reasons in view of the reference in its entirety and in particular its teachings regarding condition control tables that the Examiner maintains her rejections of the claims as anticipated by a combination of the references.

VI. Claim 26 under 35 USC 103(a) as being unpatentable over Landwehr, and further in view of Virtanen and Claim 29 under 35 USC 103(a) as being unpatentable over Landwehr, and further in view of Yoshiba

Appellant's arguments regarding the Examiner's 35 USC 103(a) rejection of claims 26 and 29 are based upon their dependence on allowable independent claims. Insofar as the Examiner maintains her rejection of those claims, claims 26 and 29 remain rejected for their dependence upon rejected claims and as anticipated by the reference in their entirety.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Tamara Teslovich/
Examiner, Art Unit 2137

Conferees:

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2137

/Matthew Smithers/
Primary Examiner, Art Unit 2137